

# TOWN OF PALM BEACH


Information for Town Council Meeting on: October 11, 2023

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building



Re: Waiver of Town Code Section 42-199, For Extended Working Hours at 150 Worth Avenue  
– Suite 107, Carolina Herrera Retail Store

Date: September 29, 2023

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## **STAFF RECOMMENDATION**

Staff recommends that the Town Council consider a request for an extension of work hours for the continuing retail store renovation for Carolina Herrera, Suite 107, 150 Worth Avenue. If approved, staff recommends that it be conditioned upon the September 22, 2023, letter from Carlos Cano, which breaks down the remaining work and projected timeline.

Staff has notified the applicant that granting of extended working hours is the sole discretion of the Town Council.

## **GENERAL INFORMATION**

The applicant is requesting to continue the retail store renovation and fit-out for Carolina Herrera. The code requires all Worth Avenue construction work to stop on October 31 of each year. The applicant has indicated that, if approved, work would be complete by November 30, 2023. Consideration should be given to a short extension of time if the Town Council requests a work stoppage during Thanksgiving week.

Ordinance 03-2018, passed by the Town Council on second reading on February 13, 2018, modified the construction working hours in the Town as follows:

*Sec. 42-199. - Hours for construction work.*

- (b) *Limited. Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday, and legal holidays, when all construction work is prohibited. In no event shall heavy equipment or other construction-related noise be permitted before 9:00 a.m. At all other times such work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and legal holidays, including the Friday immediately after Thanksgiving, when all construction work is restricted or*

prohibited. Construction work is permissible on Saturdays from May through the Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature during which all of the noise and machinery prohibitions identified in section 42-198 are applicable; material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restriction due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. *The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending on October 31, except Sundays and legal holidays, when all construction work is prohibited.*

(c) *Exceptions.*

- (5) *The town council, in its discretion, for the benefit of the health, safety and welfare of the residents of the town may, by resolution, temporarily amend the hours for construction work referenced herein.*

The applicant was asked to notify surrounding property owners of the request and of the date of this meeting, as required.

Attachments – September 22, 2023, Letter from Carlos Cano of SAJO (Project Manager)

September 22, 2023

Time Extension Request – S.107, 150 Worth Ave, FL.

To Town Council of Palm Beach,

Please accept this letter as a formal "time extension request" for the Tenant improvement of the Carolina Herrera retail store Space 107, located at 150 Worth Ave, Palm beach, Permit Number B-23-98927.

We are requesting an extension up to November 30<sup>th</sup>, 2023.

The improvement period was originally ending Oct 24<sup>th</sup>, 2023. Despite best efforts to maintain that schedule, factors outside of both the control of the owner and the contractor are leading to delays. These items are listed as follows;

1. Titus HVAC, leader in the air distribution, has significant delays to the linear diffusers required to complete inspections and close ceilings.
2. PIPP Mobile, a leader in mobile storage, have recently doubled their expected delivery date by 4 weeks.
3. Special terminations. Out of state vendor contracted by the owner.
4. Town Plan revisions. There were delays in the review process of mechanical and sprinkler drawings which hampered our ability to close ceilings
5. We have allowed some time in tasks for any inspection recall as it can happen that we need to address any unforeseen situation.

Both SAJO and our client have been working overtime to make up for the delays. The above extension is planning for a worst-case scenario. For this reason, we are reaching out to you to request this time extension.

I appreciate your time,

Best regards,

**Carlos Cano**

Project Manager

## SAJO

**DESIGN  
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